

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

**JAMES D. NORVELL JR. AND
ALEXIS MONET WAHLEN,**

DEBTORS.

CASE NO. 20-41591-BTR-7

**KEVIN EPSTEIN,
UNITED STATES TRUSTEE,**

PLAINTIFF,

ADVERSARY NO. 23-04083

v.

JAMES D. NORVELL JR.,

DEFENDANT.

DEFAULT JUDGMENT

On this date, the Court considered the United States Trustee's Application for Default Judgment in the above styled and numbered Adversary Proceeding. The Defendant, although noticed, failed to respond to the Application. The Court Orders as follows:

This Court has jurisdiction over this Adversary proceeding pursuant to 28 U.S.C. §157; 28 U.S.C. §1334, 11 U.S.C. §§ 105(a);, and the standing order of reference. Venue is appropriate in this Court pursuant to 28 U.S.C. §1409(a). This Adversary proceeding is a "core proceeding" under 28 U.S.C. §§ 157(b)(2)(A), (J) and (O). Plaintiff, Kevin Epstein, is the United States Trustee for Region 6, which is comprised of the Northern and Eastern Judicial Districts of Texas. Defendant is an individual Debtor under Title 11, United States Code.

This Adversary proceeding was commenced by the filing of a Complaint by the United States Trustee (Plaintiff) on October 11, 2023. Appropriate summons was issued by the clerk of court as to Defendant on October 12, 2023. On October 12, 2023, Plaintiff executed his Proof of Service of Summons and Complaint in this matter.

Pursuant to Fed R. Bankr P. 7012(a), upon proper service of the Complaint, Defendant's Answer was due to be filed and served within 30 days of the issuance of the summons, which in the present case was no later than November 13, 2023. No Answer has been filed or served. Defendant has wholly failed to appear or otherwise defend this Adversary Proceeding.

Pursuant to Fed. R. Bankr. P. 7055, upon the failure of a party to plead or otherwise defend, a judgment by default may be issued by the Court upon proper application. Plaintiff has applied for judgment by default, which Application is supported by appropriate Declaration under the penalty of perjury.

Accordingly, upon such Application for Default Judgment, the Court hereby ORDERS AND ADJUDGES as follows:

The Complaint filed by the United States Trustee is GRANTED.

The Defendant's Chapter 7 Discharge is hereby REVOKED and DENIED pursuant to 11 U.S.C. § 727(d)(2) and § 727(d)(3).

This Judgment is a final judgment which effectively disposes of all matters and claims stated in the above styled Adversary proceeding. All relief not granted in this Judgment is expressly denied.

SO ORDERED AND ADJUDGED.

Signed on 11/20/2023

A handwritten signature in black ink, appearing to read 'J. Searcy', is written above a horizontal line.

THE HONORABLE JOSHUA P. SEARCY
UNITED STATES BANKRUPTCY JUDGE